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Via Fax

Hon. Charles L. Brieant  
United States District Judge  
United States Courthouse  
300 Quarropas Street  
White Plains, N.Y. 10601

April 9, 2008

**MEMO ENCLOSED**

*Application granted  
Conference scheduled  
for 4-18-08 at 9:30 AM -  
So Ordered*

Re: Zherka v. Amicone, 07 Civ. 9618 (CLB)

*April 9, 2008*

Dear Judge Brieant:

*Charles L. Brieant*

*US05*

Several weeks ago I noticed the Defendant and several non-party witnesses for depositions. Just recently I received correspondence from Kevin Plunkett advising that since there presently is no scheduling order in this case, the depositions cannot proceed.

Under the circumstances I am requesting that this matter be put on the Court's calendar for April 18, 2008, so that a scheduling order can be issued. In that connection I note that the Court already has several related cases on the calendar for that date.

Respectfully,

*[Signature]*  
Jonathan Lovett

JL:clp  
Cc: Kevin Plunkett, Esq., via fax